

REMARKS/ARGUMENTS

Claim Rejections §112

Indefinite

The second paragraph of 35 U.S.C. §112 states the following:

“The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention”

Claims 5, 7 and 8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, Examiner pointed out the terms and phrases “linked”, “keeping a distance”, “having a first face, a second face”, “a lock state”, “the first face of the driving wheel facing the second face of the linked plate”, “a bottom”, “only move” and “rightward and leftward” were not clear. Further, Examiner also pointed out that the term “one side” did not have proper antecedent basis.

The term “linked” has been removed to clarify the subject matter.

The phrase “keeping a distance” has been removed.

The claim has been clarified and amended to specifically reference “the first plate having a first and second face, the second plate having a first and second face”. The language should now be clear as to which plates are addressed throughout the claim.

The term “one side” has been amended to refer to “a lug with a first side and a second side” to provide proper antecedent basis.

The term “a lock state” has been amended to state that the wedged ramp of the first face of the first linked plate and the wedged ramp of the base “mate each other along the slope surfaces”.

The term “a bottom” is defined in the originally filed specification on pages 4 and 5 and as numeral 16 in FIG. 3. It is not intended to describe a bottom of an element as it is the name of its own element.

The phrase “wherein the two linked plates only move ... the through opening” has been amended to read as “first plate and the second plate linearly move inward toward the stem and outward away from the stem” to avoid subjective terms not properly defined.

Patent Examiners Should Interpret Claims in Light of Specification

The court has recently indicated that the PTO should apply the principles of *Phillips v. AWH* during prosecution — rather than the PTO’s current practice of giving claims their “broadest reasonable interpretation.” *In re Johnston* (Fed. Cir. 2006). The Patent Office may use a dictionary in defining the patent applicant’s claim terms only when the patent specification did not otherwise provide any interpretation.

Allowable Subject Matter

The Applicant acknowledges with appreciation the indication that Claims 5, 7 and 8 would be allowable if rewritten or amended to overcome the cited rejections under 35 U.S.C. 112, 2nd paragraph, set forth in the present Office Action. In the present response, the Applicant has made amendments to the claims accordingly. The Applicant respectfully submits that Claim 5 should be allowed and it is believed that its respective dependent Claims 7 and 8 should also be allowed.

Request For Allowance

Claims 5, 7 and 8 are pending in this application. The Applicant respectfully submits that the independent claim should be patentable. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested. Favorable consideration is respectfully requested.

Application No. 09/107,072

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June 1, 2011

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